

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, *et al.*

Defendants.

Civil Action No. 3:17-01362

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, *et al.*

Defendants.

Civil Action No. 3:17-01665

**MCKESSON CORPORATION'S MOTION IN LIMINE TO EXCLUDE
EVIDENCE REGARDING FORMER EMPLOYEE'S MISDEMEANOR PLEA**

McKesson hereby moves in limine to exclude certain evidence relating to former regulatory affairs employee, David Gustin, specifically (1) Mr. Gustin's 2020 plea to a misdemeanor charge, including the charging document and his written agreement to plead guilty to the misdemeanor charge, and (2) Mr. Gustin's 2019 Indictment. The bases for this Motion are set forth in the accompanying memorandum of law, which is incorporated herein. Pursuant to LR Civ. P. 7.1(a), copies of all documents, affidavits, and other such materials or exhibits referenced in the memorandum and upon which this motion relies are attached to this motion.

Dated: October 2, 2020

Respectfully submitted,

McKesson Corporation

By Counsel:

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 2nd day of October, the foregoing “MCKESSON CORPORATION’S MOTION IN LIMINE TO EXCLUDE EVIDENCE REGARDING FORMER EMPLOYEE’S MISDEMEANOR PLEA” was served using the Court’s CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Timothy C. Hester
Timothy C. Hester